

10/510378

DT04 Rec'd PCT/PTO 05 OCT 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : U.S. National Stage Application  
Based on International Appln. PCT/EP03/04087  
Applicant : Georg LUTTER  
Int'l Filing Date : April 17, 2003  
  
Title : DEVICE FOR MINIMALLY INVASIVE,  
INTRAVASCULAR AORTIC VALVE EXTRACTION  
  
TC/A.U. : (Not Yet Assigned)  
Examiner : (Not Yet Assigned)  
  
Docket No. : ROS-101  
Customer No. : 23290

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The citations enumerated on the list of references cited (modified Form PTO-1449) appended hereto may be material to the patentability of the above-identified application and are therefore submitted in compliance with the duty of disclosure defined in 37 CFR 1.56. The Examiner is requested to make these citations of official record in this application by initialing the citations on the enclosed modified Form PTO-1449.

U.S. Patent Nos. 4,445,892, 5,460,610, and 5,674,198 and U.S. Patent Publication No. 2002/013569 were cited in the International Search Report. A copy of each reference should have been transmitted by the International Bureau.

U.S. Patent Nos. 4,771,777 and 6,168,624 B1 were cited during prosecution of the German priority application.

A discussion of the relevance of DE 199 04 975 A1 and WO 93/01768 is given in the specification at page 2 and is relied upon as a statement of the pertinency of these references. U.S. Patent No. 5,370,685 is the priority application of WO 93/01768. The English abstract of WO 00/45874 which corresponds to DE 199 04 975 A1 is also relied upon as a statement of the pertinency of this reference.

Pursuant to the U.S. Patent and Trademark Office Waiver of 37 CFR 1.98(a)(2)(i) as posted on the PTO web site, copies of the cited U.S. patent and U.S. patent publication are not submitted.

This Information Disclosure Statement Under 37 CFR 1.56 is not to be construed:

- 1) as an admission that the information cited is, or is considered to be material to patentability as defined in 37 CFR 1.56(b), 2) as a representation that a search has been made, 3) that additional information that may be material to the patentability of this application does not exist, or 4) that any one or more of these citations constitute prior art under 35 USC 102.

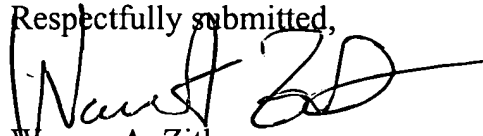
10/510378  
DT04 Rec'd PCT/PTO 0 5 OCT 2004

LUTTER - U.S. National Stage Application  
Based on PCT/EP03/04087  
Information Disclosure Statement

If any fees are due upon filing of this document, please charge our Deposit

Account No. 501032.

Respectfully submitted,



Warren A. Zitlau

Reg. No. 39,085

Hollander Law Firm, P.L.C.  
Suite 305, 10300 Eaton Place  
Fairfax, Virginia 22030  
(703) 383-4800

Date: October 5, 2004

Enclosures:

Form PTO-1449 (1 sheet)  
Copies of foreign references

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	U.S. National or PCT/EP03/04087	
			Filing Date	October 5, 2004	
			First Named Inventor	Georg LUTTER	
			Group Art Unit		
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	ROS-101

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number- Kind Code <sup>2</sup> (if known)				
		US-4,445,892		Hussein et al.	05-01-1984	
		US-4,771,777		Horzewski et al.	09-20-1988	
		US-5,370,685		Stevens	12-06-1994	
		US-5,460,610		Michael	10-24-1995	
		US-5,545,135		Iacob et al.	08-13-1996	
		US-5,674,198		Leone	10-07-1997	
		US-5,840,081		Andersen et al.	11-24-1998	
		US-5,855,601		Bessler et al.	01-05-1999	
		US-6,168,624	B1	Sudai	01-02-2001	
		US-2002/0013569	A1	Sterman et al.	01-31-2002	
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number-Kind Code <sup>5</sup> (if known)					
		DE	199 04 975 A1	09-14-2000	Impella Cardioteknik AG		
		WO	93/01768	02-04-1993	Stevens		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Best Available Copy

[Filed 10-5-04]